

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Michael Paul Hill
Heather Lynn Hill**
Debtor(s)

Bankruptcy Case No.: 17-10959-TPA
Per February 5, 2019 Proceeding
Chapter: 13
Docket No.: 62 – 54, 58
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated January 2, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Wells Fargo Bank (Claim No. 8) .
- ☒ H. Additional Terms: 1) The secured claim of the following creditor shall govern, and then following all allowed post-petition payment change notices filed of record: M&T Bank (Claim No. 7).

2) Erie Federal Credit Union (Claim No. 4) to be paid per stipulated order of November 1, 2017 at Document No. 24 with monthly payments of \$296.00 to pay in full.

3) OneMain Financial (Claim No. 2) to receive no further payments due to surrender. All prior

payments ratified.

4) Unsecured pot per LAT is \$4,000.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

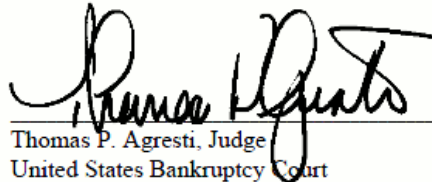
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: February 7, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 5 of 7
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Michael Paul Hill
 Heather Lynn Hill
 Debtors

Case No. 17-10959-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: jmar
 Form ID: 149

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 Total Noticed: 69

Date Rcvd: Feb 07, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 09, 2019.

db/jdb
 cr +Michael Paul Hill, Heather Lynn Hill, 20 Johnson Street, Union City, PA 16438-1466
 +Cavalry SPV I, LLC, Bass & Associates, P.C., 3936 E. Ft. Lowell Rd, Suite #200,
 Tucson, AZ 85712-1083
 cr ECMC, ECMC, P.O. BOX 16408, ST. PAUL, MN 55116-0408
 14691352 +Aes / Pnc Bank, Po Box 61047, Harrisburg, PA 17106-1047
 14691354 +Anesthesia Consultants of Erie, 232 West 25th Street, Erie, PA 16544-0002
 14691355 +Ariosa Diagnostics Inc, Dept. Ch 16829, Palatine, IL 60055-0001
 14691356 +Associated Clinical Laboratories, PO Box 740631, Cincinnati, OH 45274-0631
 14691360 +CBCS, PO Box 2724, Columbus, OH 43216-2724
 14736800 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 14760917 +Cavalry SPV I, LLC, Bass & Associates, P.C., 3936 E. Ft. Lowell Road, Suite 200,
 Tucson, AZ 85712-1083
 14691361 +Citibank / The Home Depot, Centralized Bankruptcy, Po Box 790040, S Louis, MO 63179-0040
 14691363 +Community Medicine, Inc., 1024 West View Park Drive, Pittsburgh, PA 15229-1771
 14691366 +Creditech / Cbalv, Attn: Collections, Po Box 99, Bangor, PA 18013-0099
 14691367 +DELL FINANCIAL SERVICES, P O BOX 81577, AUSTIN TX 78708-1577
 (address filed with court: Dell Financial Services, Attn: Bankruptcy, Po Box 81577,
 Austin, TX 78708)
 14881743 ECMC, PO BOX 16408, ST. PAUL, MN 55116-0408
 14691369 +Erie Community Credit Union, 1129 State Street, Erie, PA 16501-1911
 14691371 +First Federal Credit & Collections, 24700 Chagrin Boulevard, Suite 205,
 Cleveland, OH 44122-5662
 14691372 +First Savings Credit Card, Po Box 5019, Sioux Falls, SD 57117-5019
 14691373 +I C System Inc, Po Box 64378, Saint Paul, MN 55164-0378
 14691378 +Medicor Associates Inc, 3330 Peach Street, Room 203, Erie, PA 16508-2772
 14712820 +Nelnet on behalf of PHEAA, PA Higher Education Assistance Agency, PO Box 8147,
 Harrisburg, PA. 17105, 8 17105-8147
 14691380 +North American Partners in Anesthesia, PO Box 275, Glen Head, NY 11545-0275
 14691381 +Ob/Gyn Associates of Erie, 100 Peach Street, Suite 300, Erie, PA 16507-1423
 14713214 +PHEAA, PO Box 8147, Harrisburg, PA 17105-8147
 14691384 +Pathology Associates of Erie, 5700 Southwyck Boulevard, Toledo, OH 43614-1509
 14691386 +Receivables Outsourcing LLC, PO Box 62850, Baltimore, MD 21264-2850
 14691393 +Transworld Systems Inc, 300 Cedar Ridge Drive, Suite 307, Pittsburgh, PA 15205-1159
 14691395 +UPMC Health Services, PO Box 371472, Pittsburgh, PA 15250-7472
 14762990 UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
 14763205 UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
 14691396 +Upper Body Rehabilitation Center, 300 State Street, Suite 206, Erie, PA 16507-1429
 14726500 Wells Fargo Bank, N.A., PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438
 14691398 Wells Fargo Financial National Bank, Csc1 Dispute Team N8235-04m, Des Moines, IA 50306

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14691353 E-mail/Text: ebnbankruptcy@ahm.honda.com Feb 08 2019 02:33:31 American Honda Finance,
 Po Box 168088, Irving, TX 75016
 14691357 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Feb 08 2019 02:35:13 Capital One,
 Attn: Bankruptcy, Po Box 30253, Salt Lake City, UT 84130-0253
 14691358 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Feb 08 2019 02:35:11
 Capital One / Nautilus, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 14691359 +E-mail/Text: bkr@cardworks.com Feb 08 2019 02:32:34 Cardworks / CW Nexus,
 Attn: Bankruptcy, Po Box 9201, Old Bethpage, NY 11804-9001
 14691362 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Feb 08 2019 02:32:57
 Comenity Bank / Kings Sizes, Po Box 182125, Columbus, OH 43218-2125
 14691364 +E-mail/Text: bankruptcy_notifications@ccsusa.com Feb 08 2019 02:33:59
 Credit Collection Services, 725 Canton Street, Norwood, MA 02062-2679
 14691365 +E-mail/PDF: creditonebknofications@resurgent.com Feb 08 2019 02:35:14 Credit One Bank Na,
 Po Box 98873, Las Vegas, NV 89193-8873
 14699042 E-mail/Text: mrdiscen@discover.com Feb 08 2019 02:32:41 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 14691368 +E-mail/Text: mrdiscen@discover.com Feb 08 2019 02:32:41 Discover Financial, Po Box 3025,
 New Albany, OH 43054-3025
 14691370 +E-mail/Text: bnc-bluestem@quantum3group.com Feb 08 2019 02:33:44 Fingerhut,
 6250 Ridgewood Road, St Cloud, MN 56303-0820
 14691374 +E-mail/Text: bnckohlsnotices@becket-lee.com Feb 08 2019 02:32:45 Kohls / Capital One,
 Kohls Credit, Po Box 3043, Milwaukee, WI 53201-3043
 14762169 E-mail/PDF: resurgentbknofications@resurgent.com Feb 08 2019 02:35:22
 LVNV Funding, LLC its successors and assigns as, assignee of MHC Receivables, LLC and,
 FNBM, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14764775 E-mail/PDF: resurgentbknofications@resurgent.com Feb 08 2019 02:35:49
 LVNV Funding, LLC its successors and assigns as, assignee of Murray Hill Grantor Trust,
 2016-LC1, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14691375 +E-mail/Text: bk@lendingclub.com Feb 08 2019 02:33:40 Lending Club Corporation,
 71 Stevenson Street, Suite 300, San Francisco, CA 94105-2985
 14691376 E-mail/Text: camanagement@mtb.com Feb 08 2019 02:32:50 M & T Bank, Po Box 844,
 Buffalo, NY 14240

District/off: 0315-1

User: jmar
Form ID: 149

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Total Noticed: 69

Date Rcvd: Feb 07, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14714794 E-mail/Text: camanagement@mtb.com Feb 08 2019 02:32:50 M&T Bank, P.O. Box 1288, Buffalo, NY 14240-1288

14762307 E-mail/Text: bkr@cardworks.com Feb 08 2019 02:32:34 MERRICK BANK, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368

14691377 +E-mail/Text: mwetherbee@mmchs.org Feb 08 2019 02:33:36 Meadville Medical Center, 1034 Grove Street, Meadville, PA 16335-2945

14691379 +E-mail/Text: electronicbkydocs@nelnet.net Feb 08 2019 02:33:29 Nelnet, Bankruptcy, Po Box 82505, Lincoln, NE 68501-2505

14706691 E-mail/PDF: cbp@onemainfinancial.com Feb 08 2019 02:35:32 ONEMAIN, P.O. BOX 3251, EVANSVILLE, IN 47731-3251

14691383 +E-mail/PDF: cbp@onemainfinancial.com Feb 08 2019 02:35:01 Onemain Financial, Attn: Bankruptcy, Po Box 3251, Evansville, IN 47731-3251

14691382 +E-mail/PDF: cbp@onemainfinancial.com Feb 08 2019 02:35:33 Onemain Financial, Po Box 1010, Evansville, IN 47706-1010

14744828 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Feb 08 2019 02:36:15 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541

14692183 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Feb 08 2019 02:36:16 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

14768445 E-mail/Text: bnc-quantum@quantum3group.com Feb 08 2019 02:33:02 Quantum3 Group LLC as agent for, Sadino Funding LLC, PO Box 788, Kirkland, WA 98083-0788

14765324 E-mail/Text: bnc-quantum@quantum3group.com Feb 08 2019 02:33:02 Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788

14691385 +E-mail/Text: BankruptcyMail@questdiagnostics.com Feb 08 2019 02:34:01 Quest Diagnostic, 3 Giralda Farms, Madison, NJ 07940-1027

14691387 +E-mail/PDF: gecsed@recoverycorp.com Feb 08 2019 02:35:07 Synchb, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060

14691388 +E-mail/PDF: gecsed@recoverycorp.com Feb 08 2019 02:35:37 Synchb / HH Gregg, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060

14691389 +E-mail/PDF: gecsed@recoverycorp.com Feb 08 2019 02:35:06 Synchb / Specialized, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060

14691390 +E-mail/PDF: gecsed@recoverycorp.com Feb 08 2019 02:35:06 Synchrony Bank / JCPenneys, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060

14691391 +E-mail/PDF: gecsed@recoverycorp.com Feb 08 2019 02:35:07 Synchrony Bank / Lowes, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060

14691392 +E-mail/Text: DL-ICOMSBankruptcy@charter.com Feb 08 2019 02:33:39 Time Warner Cable, 60 Columbus Circle, New York, NY 10023-5860

14691394 +E-mail/Text: BankruptcyNotice@upmc.edu Feb 08 2019 02:33:46 UPMC Hamot, 201 State Street, Erie, PA 16550-0001

14691397 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Feb 08 2019 02:32:36 Verizon, Bankruptcy Administration, 500 Tecnolgy Drive, Suite 500, Weldon Springs, MO 63304-2225

14738421 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Feb 08 2019 02:35:51 Verizon, by American InfoSource LP as agent, PO Box 248838, Oklahoma City, OK 73124-8838

TOTAL: 36

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr M&T BANK

cr* +Erie Community Credit Union, 1129 State Street, Erie, PA 16501-1911

cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

14762511* +DELL FINANCIAL SERVICES, P O BOX 81577, AUSTIN TX 78708-1577 (address filed with court: Dell Financial Services, LLC, Resurgent Capital Services, PO Box 10390, Greenville, SC 29603-0390)

14885599* ECMC, PO Box 16408, St. Paul, MN 55116-0408

TOTALS: 1, * 4, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 09, 2019

Signature: /s/Joseph Speetjens

District/off: 0315-1

User: jmar
Form ID: 149

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Total Noticed: 69

Date Rcvd: Feb 07, 2019

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 7, 2019 at the address(es) listed below:

Daniel P. Foster on behalf of Debtor Michael Paul Hill dan@mrdebtbuster.com,
clarissa@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com
Daniel P. Foster on behalf of Joint Debtor Heather Lynn Hill dan@mrdebtbuster.com,
clarissa@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com
James Warmbrodt on behalf of Creditor M&T BANK bkgroup@kmlawgroup.com
Nicholas R. Pagliari on behalf of Creditor Erie Community Credit Union npagliari@mijb.com,
sburick@mijb.com
Office of the United States Trustee ustpreregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 6